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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,821	11/29/2000	Hidenori Sekine	1924.64885	5095

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EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/728,821

Applicant(s)

SEKINE, HIDENORI

Examiner

Gregory J. Vaughn

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Application History

1. This action is responsive to the application filing, Application filed on 11/29/2000.
2. Claims 1-6 are pending in the case, claims 1 and 6 are independent claims.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in the current application on 11/29/2000. Foreign priority is based upon Japan application #2000-031228, filed 2/8/2000.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- "400" on page 22, line 19 (in reference to Figure 17).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

- "SB3" in Figure 7.

- "400A" in Figure 17.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

6. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
7. The disclosure is objected to because of the following informalities:
 - The disclosure recites "*the analyzing section 320 sores the result*" (page 13, line 7). The context of the section is directed toward "*sorting*" and "*storing*" and it is unclear as to the inventor's intention for this obviously misplaced word.
 - The disclosure recites those reference signs listed in paragraph 4 above, which are not shown in the drawings.
 - The disclosure fails to disclose those reference signs listed in paragraph 5 above, which are shown in the drawings.

Appropriate correction is required.

8. The disclosure is objected to because it contains the following embedded hyperlinks and/or other form of browser-executable code:

- "<http://www.abcdefg.co.jp/hypertext/newinfo/>" on page 12, line 9.
- "<http://www.abcdefg.co.jp/qa/qal-10.html>" on page 15, line 24.

Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

"A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language."

10. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Dutta US Patent 6,480,837 (filed 12/16/1999, patented 11/12/2002).
11. **In regard to independent claim 1**, the first limitation of the claim is directed toward storing URLs selected by users. Dutta recites: *"The search engine server 4 includes a search engine program 12 that performs search engine operations known*

in the art such as searching for web pages and indexing the URLs of the web pages"
(column 3, lines 57-60).

The second limitation of the claim is directed toward analyzing the URL utilization frequency of the stored URLs. Dutta recites: *"FIG. 2 illustrates an example of the URL index 14 providing an association of a URL, keyword, and popularity weight, thus providing a popularity weight for each URL/keyword pair. The popularity weight indicates the frequency of selection of the associated URL when returned in response to a search including the keyword associated with the URL and popularity weight"* (column 3, line 66 to column 4, line5).

The third limitation of the claim is directed toward storing URL utilization frequency values. Dutta discloses in Figure 2, storing URL utilization frequency values (shown as *"Popularity Weight"*).

The forth limitation of the claim is directed toward retrieving URLs based upon a user search request. Dutta discloses in Figure 3a, receiving a search request at reference sign 100, and executing the search at reference sign 102.

12. **In regard to dependent claim 2**, the claim is dependent upon claim 1 and is directed toward determining the accumulation range of the frequency of utilization of the URLs. Dutta discloses in Figure 2 an accumulation range (described as *"Popularity Weight"*).
13. **In regard to dependent claim 3**, the claim is dependent upon claim 2 and is directed toward associating an accumulation base point with an accumulation range.

Dutta discloses in Figure 2, associating an accumulation base point (shown as "URL") with an accumulation range (described as "*Popularity Weight*").

14. In regard to dependent claim 4, the claim contains substantially the same subject matter as claim 2, and is rejected with the same rational.
15. In regard to dependent claim 5, the claim contains substantially the same subject matter as claim 3, and is rejected with the same rational.
16. In regard to dependent claim 6, the claim contains substantially the same subject matter as claim 1, and is rejected with the same rational.

Conclusion

17. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

<u>Patent</u>	<u>Date</u>	<u>Inventor</u>
• US-6,189,002	02-2001	Roitblat, Herbert L.
• US-6,289,342	09-2001	Lawrence et al.
• US-6,421,675	07-2002	Ryan et al.
• US-6,631,496	10-2003	Li et al.
• US-2001/0034814	10-2001	ROSENZWEIG, MICHAEL D.
• US-2002/0000468	01-2002	BANSAL, PRADEEP K.
• US-2003/0033304	02-2003	UESAKA, HIROJUKI

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (703)

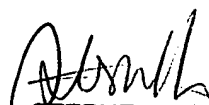
Art Unit: 2178

305-4672. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
March 5, 2004


STEPHEN S. HONG
PRIMARY EXAMINER